

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	x	
DAVID RODRIGUEZ,	:	Civil Action No.:
	:	
Plaintiff,	:	
v.	:	
	:	
THE NATIONAL RAILROAD PASSENGER	:	
CORPORATION d/b/a AMTRAK and	:	
BRIAN SALTER,	:	
	:	
Defendants.	x	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1349, 1441(a) and 1446, Defendants National Railroad Passenger Corporation d/b/a Amtrak ("Amtrak") and Brian Salter by and through their attorneys, Landman Corsi Ballaine and Ford P.C., hereby remove to the United States District Court for the Southern District of New York, the above-captioned action pending in the Supreme Court of New York, Bronx County, under the caption David Rodriguez v. The National Railroad Passenger Corporation d/b/a Amtrak and Brian Salter, Index No. 20072/2016E, and respectfully states, upon information and belief:

1. Amtrak has been named as a defendant in an action now pending in the Supreme Court of New York, County of New York, under the caption David Rodriguez v. The National Railroad Passenger Corporation d/b/a Amtrak and Brian Salter Index No. 20072/2016E (See Summons and Verified Complaint attached hereto as Exhibit A).

2. The above-referenced action was commenced by the filing of a Complaint on or about January 5, 2016. (See Exhibit A).

3. Amtrak first received a copy of the Complaint on April 19, 2016 when it was delivered to the Amtrak Claims Department in New York, New York.

4. The United States District Court for the Southern District of New York has original jurisdiction over this action because Amtrak was created by an Act of Congress, 49 U.S.C. § 24101 et seq., and more than half of its corporate stock is owned by the federal government. See 28 U.S.C. § 1349. As such, this case is removable to this Court pursuant to 28 U.S.C. § 1441(a).

5. Pursuant to 28 U.S.C. § 1446(a), copies of all pleadings served upon defendants are attached hereto as Exhibit A.

WHEREFORE, Amtrak requests that the action described herein now pending in the Supreme Court of the State of New York, Bronx County, be removed to this Court.

LANDMAN CORSI BALLAINE & FORD P.C.
Attorneys for Defendants
National Railroad Passenger
Corporation d/b/a Amtrak and
Brian Salter

By: 

Charles W. Mondora

Dated: May 3, 2016